

VZCZCXRO9849  
PP RUEHMA RUEHPA  
DE RUEHUJA #2223/01 3181054  
ZNR UUUUU ZZH  
P 131054Z NOV 08  
FM AMEMBASSY ABUJA  
TO RUEHC/SECSTATE WASHDC PRIORITY 4429  
INFO RUEHOS/AMCONSUL LAGOS 0248  
RUEHZK/ECOWAS COLLECTIVE  
RUEATRS/DEPT OF TREASURY WASHDC  
RUCPDOG/DEPT OF COMMERCE WASHDC

UNCLAS SECTION 01 OF 02 ABUJA 002223

SENSITIVE  
SIPDIS

DEPT PASS TO USTR-AGAMA AND GARDE  
TREASURY FOR PETERS, IERONIMO AND HALL  
DOC FOR 3317/ITA/OTA/OA/BURRESS AND  
3130/USFC/OIO/ANESA/HARRIS

E.O. 12958: N/A  
TAGS: [ETRD](#) [ECON](#) [KIPR](#) [EINV](#) [EAID](#) [PGOV](#) [NI](#)  
SUBJECT: NIGERIA: TRADE MINISTRY PUSHING FOR TIFA ASAP

REF: A. ABUJA 2177  
[1](#)B. ABUJA 2146  
[1](#)C. ABUJA 1925

[1](#)1. (SBU) Summary. During a November 6, 2008 meeting with the Nigerian Ministry of Commerce and Industry (MCI) Permanent Secretary Elizabeth Emuren, she said the Government of Nigeria (GON) is eager to participate in the next Trade and Investment Framework Agreement (TIFA) Council Meeting and proposed the next TIFA in November or December 2008 in Washington, DC. MCI has not discussed the TIFA Council Meeting with other ministries and agencies and will hold an interagency session on November 12. There has been some progress on eliminating import bans (banned products dropped from 44 to 26 - reftel C) and harmonizing import tariffs with her West African neighbors under the Economic Community of West African States (ECOWAS) Common External Tariff (CET). However, it is unclear whether substantive discussions can take place at the TIFA to move forward the USG agenda. MCI also requested that a team from the USG come to Nigeria to hold African Growth and Opportunity Act (AGOA) workshops in Kano and Lagos in November. End Summary.

[1](#)2. (U) On November 6, 2008, EconCouns, EconDeputy, EconSpec and USAID EconGrowthDir (Director of Economic Growth) met with Nigerian Ministry of Commerce and Industry officials led by the Permanent Secretary, Elizabeth Emuren, to discuss Nigeria's plans and expectations for the next TIFA Council Meeting and to follow up on GON positions on a bilateral investment treaty (BIT), AGOA focus areas, and intellectual property legislation.

.  
LONG SILENCE TO SUDDEN ACTION  
-----

[1](#)3. (SBU) Before the July 2008 AGOA Forum EconDeputy and MCI had discussions regarding a TIFA Council Meeting in October, but following the GON delegation's return to Abuja in early July, the GON has been silent. On October 31, EconCouns and EconDeputy met with Prince Joseph Idiong of the Nigerian Exporters Association and he commented that MCI Trade Director Badeji Abikoye had hinted at MCI leaning towards a TIFA Council Meeting in 2008. In the November 6 meeting, Emuren said MCI prefers a TIFA meeting before the end of 2008, rather than early 2009. If November 27 was not possible, she recommended a TIFA during the first or second week in December. Emuren explained that MCI has travel funds available for a trip to Washington in 2008, and that MCI may lose these funds if not used before 2009. She also indicated that MCI's overall budget for 2009 is uncertain.

[1](#)4. (SBU) Regarding preparations for the TIFA, Emuren reported that a meeting of all stakeholders, including the public and private sector will be held November 12 to develop the GON's expectations and positions for the TIFA Council. She instructed MCI officials to provide a briefing to the Mission immediately after the meeting.

.  
AGOA Focus Areas - Not Yet Set  
-----

.  
¶5. (SBU) Since the December 2007 TIFA, the USG has been asking for feedback on the GON's designation of AGOA focus areas to concentrate USG/GON trade capacity building (TCB) assistance. On November 6, Augustine Anumba Adigwe, Assistant Director in the Trade Department at MCI, said that the GON has yet to determine its AGOA focus sectors. He requested the USG send a team to hold AGOA workshops in Kano and Lagos in November. Following these workshops, he expected the GON to select focus sectors. COMMENT: There is a clear disconnect between MCI and the Nigerian Export Promotion Council. EconDeputy met with NEPC CEO Lawal in July and he stated affirmatively that his agency was in charge of selecting the AGOA focus sectors. NEPC has already held three export workshops in October in Abia State, Lagos and Kano. The Bank of Industry has also hosted AGOA workshops in cooperation with the U.S. Mission and the Ambassador is attending another one on November 13 in Jalingo, Taraba State. This stove piping within the GON remains a major hurdle to increasing non-oil exports. END COMMENT.

.  
Intellectual Property - Where is the Bill?  
-----

.  
¶6. (SBU) The USG IP Task Force met with Hajia Jamila Ahmadu-Suka, Registrar of Trademarks, Patent, and Designs at MCI on October 27 and requested a copy of the bill that would create an Industrial Property Commission. Ahmadu-Suka responded that it would be available on October 31 (reftel A). On November 6 the USG team again met with Ahmadu-Suka regarding the draft IP bill, but she said that the acting MCI Minister has instructed her not to give the USG the bill

ABUJA 00002223 002 OF 002

until he reviews it. After he has given approval she will share it with the Mission.

.  
Bilateral Investment Treaty Still Under Review  
-----

.  
¶7. (SBU) When asked the status of the BIT, MCI Trade Director Badeji Abikoye, said that GON discussion on it is led by a ministerial committee chaired by the Chief Economic Adviser to the President, Tanimu Yakubu, and that MCI plays an important role in that committee. He commented that progress is unlikely until a new MCI minister is appointed. NOTE: Minister Charles Ugwu was removed from office in a larger cabinet reshuffle on October 29; it is not clear when a replacement will be on seat (reftel B). The USG provided the GON a copy of a sample BIT in November 2007 and on subsequent occasions; however the GON has yet to provide its observations/inputs. END NOTE.

.  
Where Do We Go From Here?  
-----

.  
¶8. (SBU) COMMENT: This sudden request for a TIFA Council Meeting following Minister Ugwu's removal is motivated by budgetary considerations and not necessarily a desire for substantive policy discussions. The GON has been slow to make significant progress on mutually agreed trade issues since the April 2008 TIFA digital video conference, with the reduction in import bans the main good news. It is unclear whether concrete progress can be achieved with the GON during the next Trade and Investment Framework Agreement (TIFA) council meeting, considering MCI has unsettled leadership and questionable commitment. Though slow incremental progress is possible, it is not yet clear whether the political will exists to achieve more significant progress. END COMMENT.

SANDERS